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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/788,968	02/25/2004	Siegfried Foshag	HOE-804

CONFIRMATION NO. 5399

20028  
 LAW OFFICE OF BARRY R LIPSITZ  
 755 MAIN STREET  
 MONROE, CT 06468

## FORMALITIES LETTER



\*OC000000012709996\*

Date Mailed: 05/20/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$144 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$1044 for a Large Entity

10/22/2004 RMEBRAHT 00000006 10788968

01 FC:1001	790.00 OP
02 FC:1051	130.00 OP
03 FC:1202	144.00 OP

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

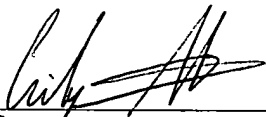
- Total additional claim fee(s) for this application is **\$144**

- **\$144** for 8 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature in black ink, appearing to be "C. H. A.", is written over a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

# PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

S. Foshag

Application No.: 10/788,968

Filed: February 25, 2004

For: **RUN-THROUGH SHEARS**

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to MS MISSING PARTS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 18, 2004.

**By:**

**Carol Prentice**

## MS MISSING PARTS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

## SUBMISSION OF MISSING PARTS OF APPLICATION UNDER 37 C.F.R. 1.53

Dear Sir:

Enclosed are the following items for filing in the above-referenced U.S. patent application:

1. A check in the amount of \$2,124 to cover the total filing fee (\$934); the surcharge set forth in 37 C.F.R. 1.16(e) (\$130); the Assignment recordal fee (\$40); Name Change recordal fee (\$40) and Extension of Time fee (\$980);

<b>Basic Fee -</b>								<b>\$ 790.00</b>
<b>Multiple Dependent Claims (270.00)</b>								
<b>Foreign Language Surcharge (\$130.00)</b>								
	<b>For</b>	<b>No. Filed</b>	<b>-</b>	<b>No. Extra</b>	<b>-</b>	<b>Rate</b>		
<b>EXTRA CLAIMS</b>	<b>Total Claims</b>	<b>28</b>	<b>20</b>	<b>8</b>	<b>x</b>	<b>\$18.</b>	<b>=</b>	<b>\$ 144.00</b>
	<b>Independent Claims</b>	<b>1</b>	<b>3</b>	<b>0</b>	<b>x</b>	<b>\$88.</b>	<b>=</b>	<b>\$ 0</b>
<b>TOTAL FILING FEE</b>							<b>=</b>	<b>\$ 934.00</b>

2. Return receipt postage prepaid postcard;
3. Formalities Letter (Part 2) mailed May 20, 2004
4. Copy of original Declaration and Power of Attorney, signed by the Applicant on October 8, 2004 ;
5. Copy of original Assignment executed by the Applicant on October 8, 2004 , together with separate transmittal form PTO-1595;
6. Name change documentation for Bessey & Sohn GmbH & Co. to Bessey & Sohn GmbH & Co. KG , together with separate transmittal form PTO-1595;
7. Certified copy of priority document, German patent application no. 103 10 259.0, together with transmittal letter;
8. Petition for Three-Month Extension of Time for Filing Missing Parts of an Application.

Having now complied with all of the requirements of 37 C.F.R. Section 1.53, Applicant respectfully requests that this application be placed upon the files for examination.

The Commissioner is hereby authorized to charge any deficiency in the payment of the required fee(s) or credit any overpayment to Deposit Account No. 50-0625.

Respectfully submitted,



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Barry R. Lipsitz  
Attorney for Applicant(s)  
Registration No. 28,637  
755 Main Street  
Monroe, CT 06468  
(203) 459-0200

Date: October 18, 2004

**ATTORNEY DOCKET NO.: HOE-804**